## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.

AMR CORPORATION, et al., : 11-15463 (SHL)

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Debtors. : (Jointly Administered)

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**Defendants.** 

CAROLYN FJORD, et al., : Adversary Proceeding No.

Plaintiffs, : 13-01392 (SHL)

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**v.** 

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AMR CORPORATION, et al.,

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## ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND DENYING PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT

Upon Defendants' Motion for Summary Judgment dated May 12, 2017, and the papers filed in support (Adv. Pro. ECF Nos. 139, 140, 141, 142) (the "Defendants' Motion"); Plaintiffs' Opposition to Defendants' Motion and Plaintiffs' Cross-Motion for Summary Judgment dated June 24, 2017, and the papers filed in support (Adv. Pro. ECF Nos. 149, 150, 151), as well as the corrected Memorandum and Declarations dated June 27 and 28, 2017, filed in support (Adv. Pro. ECF Nos. 153, 154, 156) (the "Plaintiffs' Cross-Motion"); Defendants' Reply papers in further support of Defendants' Motion and in Opposition to Plaintiffs' Cross-Motion dated July 28, 2017 (Adv. Pro. ECF Nos. 160, 161, 162, 163); Plaintiffs' Reply papers in further support of Plaintiffs' Cross-Motion dated September 1, 2017 (Adv. Pro. ECF No. 167); Plaintiffs' Motion for Order

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Correcting the Record and supporting papers dated April 17, 2018 (Adv. Pro. ECF Nos. 172, 173,

174); and the record of the Hearing before the Court on March 26, 2018, for the reasons stated on

the record by the Court on August 29, 2018, the Court hereby orders the following:

The Court denies Plaintiffs' Cross-Motion. The Court grants in part Defendants' Motion

as to Plaintiffs' claim under Section 2(c) of the Robinson-Patman Act, as well as to Plaintiffs'

claim under Section 7 of the Clayton Act, as brought in their roles as travel agents and/or arising

in an alleged national market. The Court denies Defendants' Motion for Summary Judgment

regarding Plaintiffs' Section 7 claim as brought by Plaintiffs in their roles as domestic airline

customers, and arising out of city-pair markets. The Court also denies as moot Plaintiffs' Motion

for Order Correcting the Record.

Accordingly, it is hereby ORDERED that Plaintiffs' Cross-Motion for Summary

Judgment is DENIED, Defendants' Motion for Summary Judgment is GRANTED IN PART and

DENIED IN PART, and Plaintiffs' Motion for Order Correcting the Record is DENIED AS

MOOT.

IT IS SO ORDERED.

Dated: September 14, 2018

New York, New York

/s/ Sean H. Lane

United States Bankruptcy Judge